

STATE OF MINNESOTA**AFFIDAVIT OF MANUEL JIMENEZ****COUNTY OF HENNEPIN****FILED UNDER SEAL—PURSUANT TO ORDER****Criminal No.: 23-mj-673 (TNL)**

I, Manuel Jimenez, a Special Agent (SA) with the U.S. Homeland Security Investigations, Department of Homeland Security, being duly sworn under oath, depose and state as follows:

1. I am a Special Agent (SA) with the U.S. Department of Homeland Security (DHS), Homeland Security Investigations (HSI) and have been so employed since March 2008. During my career, I have conducted and participated in several agency and joint inter-agency investigations involving unlawful importation and the distribution of controlled substances, fraud and identity theft violations, export violations, financial crimes, alien smuggling and human trafficking violations, child pornography, and various immigration and customs violations. During these investigations, I have conducted physical surveillance, executed arrest and search warrants, reviewed tape-recorded conversations, and personally interviewed numerous sources of information as well as confidential sources. Based upon my training and experience, including on-the-job discussions with other law enforcement agents and cooperating suspects, I am familiar with the operational techniques and organizational structure of Human Smuggling in the northern and southern borders of the United States. I am currently stationed in Grand Forks, North Dakota.

2. I am a graduate of the Federal Law Enforcement Training Center (FLETC), which consisted of the Criminal Investigator Training Program (CITP), and Immigration and Customs Enforcement Special Agent Training (ICESAT). Through these schools and on-the-job experience, I have received numerous hours of instruction and investigated crimes involving fraud, export violations, financial crimes, general smuggling to include of aliens and narcotics, child pornography, human trafficking and various immigration violations.

3. This Affidavit relates to an investigation concerning a human smuggling event that took place during the early morning hours of January 19, 2022, where a family of four from India froze to death during an unsuccessful attempt by a human smuggling organization to smuggle them into the United States from Canada. More specifically, this affidavit concerns the involvement of one member of that organization, a man named Harshkumar Ramanlal PATEL (referred to as PATEL throughout this affidavit but also known as “Dirty Harry,” Harry Patel, Param Singh, Haresh Rameshlal Patel, and Harshkumar Singh Patel) in the United States.

4. The information set forth in this Affidavit is based upon my own investigation as well as my knowledge, training, and experience. It is also based on information conveyed to me by others, whom I believe to be reliable, and the experience and training of other law enforcement officers with whom I have had discussions. Because this Affidavit is being submitted for the limited purpose of supporting a criminal complaint, I have not included every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that violations of federal law have occurred.

5. This investigation concerns alleged violations of 8 U.S.C. §§ 1324(a)(1)(A)(ii) and 1324(a)(1)(A)(v)(II), relating to transporting an alien within the United States in reckless disregard of the fact that the alien has come to the United States in violation of law and aiding and abetting such transportation, and 8 U.S.C. §§ 1324(a)(1)(A)(i) and 1324(a)(1)(A)(v)(I), a conspiracy to bring to and attempt to bring to the United States in any manner whatsoever an alien at a place other than a designated port of entry and place other than as designated by the Commissioner, regardless of whether such alien had received prior official authorization to come to, enter, and reside in the United States and regardless of any future official action which may be taken with respect to such alien.

JANUARY 2022 INVESTIGATION AND CHARGING OF STEVE SHAND

6. On January 19, 2022, SA John Stanley responded to a request for assistance from Border Patrol Agent (BPA) Kevin Backes at the U.S. Border Patrol Station in Pembina, North Dakota. BPA Backes said that a Florida resident and Lawful Permanent Resident named Steve Shand had been encountered driving a rented 15-passenger van in Minnesota near the U.S./Canada border earlier in the day and was transporting two Indian nationals who were unlawfully present in the United States. Border Patrol Agents arrested Shand. BPA Backes stated that a group of five Indian nationals were also found walking near where Shand was arrested and all five were found to be unlawfully present in the United States. Six of the seven Indian nationals were brought to the Pembina Border Patrol station at that time. The weather on the morning of the smuggling event was extremely cold with blizzard-like conditions, and one Indian national had been hospitalized for cold-related injuries.

7. BPA Backes also reported that there were at least three recent incidents of suspected human smuggling that occurred in the same location where Shand was arrested. Most recently, BPA Backes observed boot prints in the snow made by individuals who had walked across the U.S./Canada border at that location on January 12, 2022. Two prior human smuggling events were discovered by BPAs observing footprints in the snow during regular patrols. In each case, a group of people appeared to have walked across the border into the United States and were picked up by someone in a vehicle. Border Patrol estimated the approximate dates of those two events were December 12, 2021, and December 22, 2021, based on the age of the prints when discovered.

8. SA Stanley participated in the interviews of six Indian nationals at the Pembina Border Patrol Station on January 19, 2022, all of whom were from the state of Gujarat in India. According to one Indian national with the initials V.D., they had walked across the international

border in the early morning hours while it was dark outside and were expecting to be picked up by someone on the U.S. side. V.D. said he expected to be driven to his uncle's residence in Chicago. V.D. paid a significant sum of money (equivalent to approximately \$87,000 U.S. dollars) to an organization in India that arranged for him to enter Canada from India under the guise of a fraudulently obtained Canadian student visa and thereafter illegally enter the United States.

9. Upon his arrest, V.D. was in possession of a backpack that did not belong to him. The backpack contained children's clothes, a diaper, toys, and some children's medication, but there were no children among those encountered by Border Patrol. V.D. said that he was carrying the backpack for a family of four Indian nationals that had been walking with his group earlier. V.D. said the family had a small child. The family had asked V.D. to carry the backpack for them because they had to carry the child. V.D. said his group had become separated from the family during the night, and he did not know where the family was.

10. On January 19, 2022, Border Patrol received a report from the Royal Canadian Mounted Police in the Province of Manitoba, that four dead bodies were found frozen a few yards north of the U.S./Canada border near where the Indian nationals had crossed the border into the U.S. The dead bodies were later identified as the Indian family described by V.D. The family consisted of a 34-year-old female named Viashaliben Patel, a 39-year-old male named Jagdishkumar Patel, a 3-year-old boy named Dharmik Patel, and an 11-year-old girl named Vihangi Patel. The family originated from the state of Gujarat in India. The smuggling event leading to these deaths has received considerable international attention within the news media as highlighted in an episode of a docuseries by the Canadian Broadcasting Company (CBC) called

“The Fifth Estate.”¹

11. Upon arrest, Shand was in possession of two cell phones, and Shand identified that the two phones belonged to him. One of the phones was a Galaxy A12 model using phone number (386) 209-1996. The other phone was a Galaxy S21 model using phone number (386) 479-5315. The area code 386 covers Daytona Beach, Lake City, Live Oak, Crescent City, and parts of northeastern Florida. It is one of the few area codes in North America that is not contiguous.

12. A forensic examination of Shand’s Galaxy A12 done pursuant to a search warrant showed it contained records of messages sent and received through a mobile messaging application named WhatsApp. Accounts established on WhatsApp require a cell phone number and the creation of a username by the account owner. That number and username are recorded when messages are sent and received. The WhatsApp records in Shand’s Galaxy A12 phone showed he was conversing with someone using the name or alias DIRTY HARRY from at least December 9, 2021, up to and including January 19, 2022, the date the phone was seized by Border Patrol. The phone number used by PATEL in WhatsApp was (646) 610-0618. The area code 646 covers all of Manhattan in New York City.

13. In the WhatsApp messages found on the phone, Shand and PATEL communicated

¹ As documented on their website, <https://www.cbc.ca/news/fifthestate>; “The Fifth Estate is Canada’s premier investigative documentary program. Hosts Bob McKeown, Gillian Findlay and Mark Kelley continue the show’s tradition of provocative and fearless journalism, which began in 1975.” The following link referenced the episode focused on the smuggling event occurring in January 2022: <https://www.youtube.com/watch?v=a6XU52BKXew>.

Additional news articles referencing the smuggling event can be read at: <https://www.bbc.com/news/world-us-canada-60290955>; <https://www.nytimes.com/2022/01/20/us/four-dead-canada-us-border.html>; and <https://www.nbcnews.com/news/asian-america/family-froze-death-crossing-us-foot-shows-realities-south-asian-immigr-rcna14627>.

about arrangements for rental cars, hotels, and payments to Shand. Shand and PATEL discussed the severe weather in North Dakota and Minnesota on January 19, 2022.² They also discussed what time Shand should travel to the border to pick up the Indian nationals. Pickup coordinates were relayed to Shand by PATEL. PATEL also messaged Shand two phone numbers as points of contact in Canada.

14. The examination of Shand's Galaxy A12 also produced a list of contacts with names and phone numbers. Based on my experience, I know that cell phone contact lists are manually entered. One of the contacts was the name PARAM SINGH, one of PATEL's known aliases, with a phone number of (646) 610-0618, the same phone number used by PATEL in WhatsApp.

15. SA Stanley learned from a subpoena sent to T-Mobile that the phone number (646) 610-0618 was registered to HARESH PATEL with no address listed. The beginning service date for (646) 610-0618, while registered in HARESH PATEL's name, was February 21, 2021. SA Stanley conducted an open-source inquiry for area code 646 and learned that it relates to New York City, specifically to Manhattan.

16. T-Mobile also provided call logs for (646) 610-0618 from September 1, 2021, to January 21, 2022. The call logs showed that HARESH PATEL called and texted, and received phone calls and texts, from (386) 209-1996 (Shand's Galaxy A12) a total of 210 times. HARESH

² After speaking with Daryl Ritchison, the Director of the North Dakota Agricultural Weather Network (NDAWN) in North Dakota, he stated that they have information within the five-minute mark of temperatures recorded by their weather stations. I received a spreadsheet from NDAWN documenting that on January 19, 2022, at approximately 0400, at the Humboldt, Minnesota weather station closest to where the deceased migrants were found, the weather was -6.16°F with close to 27mph winds and wind chills were as low as -34°F degrees, which exposes skin to frostbite in 10 minutes. At 0830 hours, when the other migrants were located, the temperature was recorded at -10°F, 17mph winds with the wind chill at -34°F.

PATEL also called and texted, and received phone calls and texts, from (386) 479-5315 (Shand's Galaxy S21) a total of 200 times during the same period. A number of calls and texts to and from Shand's phones by HARESH PATEL were made on January 19, 2022, while Shand was in North Dakota and Minnesota.

17. Following Shand's arrest by Border Patrol, the (646) 610-0618 phone number used by PATEL, was disconnected on January 21, 2022.

18. In discussions with other HSI Agents, SA Stanley was made aware of a confidential source with information on PATEL. The source stated that PATEL was an Indian national whose real name was Harshkumar PATEL and that he lived in Florida. The source stated PATEL was part of an organized human smuggling group that facilitated illegal entry of Indian nationals into the United States. The source also provided a photograph of PATEL and a new cell phone number of (386) 265-2408. Unlike PATEL's earlier number, which was associated to New York, his new number had a northeast Florida area code.

19. SA Stanley learned from a subpoena to T-Mobile that (386) 265-2408 is registered to a HARRY PATEL at an address in Florida that appears to be non-existent according to public records. The beginning service date for (386) 265-2408 was January 19, 2022, the same day Shand was arrested by Border Patrol. That number was still active as of February 24, 2022, the latest date of call data provided by T-Mobile. I conducted an open-source inquiry for the area code 386 and learned it relates to the State of Florida.

20. On February 16, 2022, Shand was indicted by a Grand Jury in the District of Minnesota on two counts of violating 8 U.S.C. § 1324(A)(1)(a)(ii) in that he knowingly or in reckless disregard of the fact that an alien had come to, entered, or remained in the United States

in violation of law, transported, and moved or attempted to transport and move such alien. See 22-cr-40 (JRT/LIB). Since that case was charged, there have been preliminary proceedings.

INVESTIGATION OF HARSHKUMAR PATEL - SHAND'S CO-CONSPIRATOR

21. On March 9, 2022, HSI SA Timothy Litzinger and SA Stanley interviewed Shand with his attorneys present. In the interview, Shand confirmed that he lives in Deltona, Florida, which is near Orlando. Shand identified the picture of PATEL provided by the HSI confidential source as Harry PATEL, who he also knew by the nickname “DIRTY HARRY.” Shand stated PATEL recruited him to transport illegal aliens from the U.S./Canadian border in Minnesota to the Chicago area for money. Shand described five total trips he had made to the international border in Minnesota in December 2021 and January 2022, to transport Indian nationals, including the January 19, 2022 trip during which he was arrested. Shand said he dropped off the first of his loads at a supermarket in Chicago called Patel Brothers on or about December 12, 2021. His second load was dropped off at a private residence in what Shand described as a wealthy part of the Chicago area on or about December 22, 2021. His subsequent two loads were dropped off at the Presidential Inn & Suites motel in Matteson, Illinois on or about December 31, 2021, and January 12, 2022. Brian Patel is listed as the owner and operator of the Presidential Inn & Suites, which is a 50-room motel located in a suburb of Chicago.

22. Shand said PATEL was the manager of a gambling establishment in Orange City, Florida called Preview Games. Shand met PATEL at Preview Games while gambling and picking up clients for his taxi business known as Shand’s Taxi, LLC.

23. Shand further stated that the phone number (646) 610-0618 is associated to “DIRTY HARRY.” Shand said PATEL had entered his own contact information into Shand’s cell

phone and had typed the name “PARAM SINGH” instead of his true name.

24. Shand stated that the Indian nationals he transported spoke the Gujarati language and little to no English. Shand does not speak Gujarati, so he would use his phone and put it on speaker, so the Indian nationals could communicate with PATEL.

25. Shand said PATEL initially tried to recruit him to pick up Indian nationals who were illegally crossing the U.S.-Canada border in New York, but Shand declined. Shand agreed to pick up Indian nationals illegally crossing the border into Minnesota and this led to his arrest in January 2022.

26. While PATEL knows where Shand lives and has paid him by dropping cash in his mailbox, Shand does not know where PATEL lives and had never been to his residence.

27. In February 2022, SA Stanley received an e-mail from Jason Gooding, the HSI Assistant Attaché in New Delhi, India. Attached to the e-mail was a photograph of a man from an Indian passport described to be Harshkumar Ramanlal PATEL. This photograph matched the photograph identified by Shand as PATEL and the photograph of PATEL provided by the aforementioned HSI confidential source.

28. SA Stanley and other law enforcement officers conducted searches of Department of Homeland Security computerized records for any records pertaining to PATEL. One record SA Stanley found on PATEL was entered by BPA Jeffery Shaffer in Blaine, Washington, in June 2018. BPA Shaffer noted that Harshkumar Ramanlal PATEL (DOB: 09/XX/1995) was released by Canada Border Services Agency (CBSA) and was expected to illegally enter the United States from Canada. On June 28, 2018, law enforcement records (ID: PXXXXXXXXXXXXCF1) show that PATEL was released by CBSA. CBP and CBSA officers believed he would attempt to cross into

the United States as migrants often have done when released by Canadian authorities along the northern border.

29. According to law enforcement records that I have reviewed, PATEL has been refused a U.S. Visa on at least five different occasions:

a. Visa Control Number: 2014XXXXXXXXXX02; on August 4, 2014, at the U.S. Consulate in Mumbai, India, PATEL appeared for his F1 student visa interview but did not meet the criteria for the visa. PATEL's answers as to his intent to study in the United States were not deemed to be credible. Therefore, PATEL's visa was denied.

b. Visa Control Number: 2014XXXXXXXXXX21; on August 20, 2014, PATEL returned to the U.S. Consulate in Mumbai, India and after the interview, consular officers could not determine substantial evidence to prove that PATEL would intend to study in the United States. Therefore, PATEL's visa was denied again.

c. Visa Control Number: 2014XXXXXXXXXX01; on September 19, 2014, at the U.S. Consulate in Chennai, India, PATEL failed to appear for his F1 student visa appointment to attend Utah State University, prompting an automatic denial.

d. Visa Control Number: 2014XXXXXXXXXX09; on February 11, 2015, at the U.S. Consulate in Mumbai, India, PATEL failed to appear for his F1 student visa appointment to attend Utah State University, prompting an automatic denial.

e. Visa Control Number: 2016XXXXXXXXXX01; on April 11, 2016, PATEL appeared at the U.S. Consulate in Ottawa, Canada, for a B1/B2 visitor visa application for a "tourism visit" to New York, New York. During his interview, PATEL also claimed he was a business management student at St. Lawrence College in Kingston, Ontario, Canada. Due to his

prior refusals, along with his lack of evidentiary information required to attain a visitor's visa, PATEL was denied a final time.

30. After reviewing several immigration documents, the date of PATEL's first entry into the United States appears to be July 21, 2016, approximately three months after his visa was refused in Ottawa, Canada. Based on my review of the records, however, it is possible that PATEL returned to Canada and attempted to cross into the United States again sometime in 2018. PATEL then applied for immigration status on or about February 2021 through the United States Citizenship and Immigration Services (USCIS). Based on my training and experience, I know that immigration applicants do not typically know the exact date and the exact geographical area they entered the United States illegally, but when they do, it is usually linked to a specific or important date.

31. I have located and reviewed two other records pertaining to applications for immigration benefits in the United States submitted by PATEL. SA Stanley obtained PATEL's alien registration file (known as an A-file), and it contained photographs of a man that matched the photograph of PATEL, which was later identified and confirmed by Shand. The name used by PATEL on his immigration applications is Harshkumar Singh PATEL. PATEL's immigration benefits have not been approved yet, and so he has no legal status in the United States at this time.

32. Subsequent to search warrants served on cell phone service provider T-Mobile by HSI, location mapping was undertaken using cell phone location data obtained for cell phone numbers (386) 265-2408 and (646) 610-0618. Both phone numbers belonged to or currently belong to PATEL. The plotted geographic locations put the cell phones using the two numbers most frequently in the area of Orlando, Florida, on and around January 19, 2022, and in that same area as recently as May 2022 for (386) 265-2408.

33. I am not aware of PATEL's exact location for effecting the accompanying arrest warrant. PATEL has had associations in New York, Maryland, Florida, and, more recently, Tennessee. While PATEL still appears to be associated to the Orlando area, social media searches appear to connect him to Meghaben Kanubhai Patel. Meghaben Patel was born in 1999 and was recently naturalized on January 19, 2023. She appears to live on Higgins Drive in Savannah, Tennessee. Based on a review of social media sites, Meghaben Patel and PATEL are scheduled to marry in October 2023 in the Nashville, Tennessee area.

RELATED INVESTIGATION INTO SMUGGLING OF INDIAN NATIONALS

34. A related investigation was initiated in 2018 by HSI in Blaine, Washington. HSI Blaine initiated the investigation into a human smuggling organization based in the state of Gujarat, India, that was responsible for smuggling Indian nationals into the United States. A man named Rajinder SINGH (a/k/a Jaspal GILL) was suspected of being the main facilitator in the United States for the group.

35. On May 20, 2022, a federal arrest warrant was issued for Singh for violations of 8 U.S.C. § 1324 (Bringing in and Harboring Certain Aliens and conspiracy to commit such offense). Singh was arrested by HSI Blaine the same day.

36. During his interview by HSI Blaine agents, Singh admitted to his involvement in human smuggling and described the smuggling operations as originating in India with travel coordinators, routing Indian nationals through British Columbia, Canada and into the United States. Singh identified an individual in India who was responsible for getting the smuggled Indian nationals into Canada on student visas. Singh said he was responsible for transportation of the Indian nationals to Chicago once they entered the United States through British Columbia, Canada.

37. Singh also identified individuals in Canada that were responsible for transporting the smuggled Indian nationals within Canada to the United States border for illegal entry. One of the individuals Singh identified in Canada was a man named Fenilkumar Patel. Singh stated that Fenilkumar Patel arranged the trip for the family that died in Manitoba, Canada on January 19, 2022. Singh stated that Fenilkumar Patel currently resides in Toronto, Canada.

38. Singh added that once the Indian nationals reach their final destinations in the United States, commonly Chicago, they work until they have paid off their debt to the smuggling organization.

39. Previous information developed during HSI Blaine's investigation indicated that Indian nationals smuggled by the Gujarat human smuggling group, work in a chain of restaurants in Chicago. The restaurants were identified and are owned by a man from India who has also been identified.

40. SA Gooding, in February 2022, attended a meeting with the Gujarat Police. The Gujarat Police stated that Jagdishkumar Patel (the father of the family of four that died on January 19, 2022) was associated to the restaurant owner in Chicago on social media and through financial transactions. The Gujarat Police stated they suspected the restaurant owner in Chicago facilitates the smuggling of Indian nationals to work in his restaurants for sub-standard wages and as a way to pay off debt.

FURTHER INVESTIGATION AND IDENTIFICATION OF HARSHKUMAR PATEL

41. In November 2022, I, SA Manuel Jimenez, adopted the case after SA Stanley's retirement. I have worked to further the investigation into PATEL and the direction he provided to Shand to transport Indian nationals who travelled across the border from Canada into the United

States. The information provided by Shand, gathered from legal process including subpoenas and warrants, and from Shand's digital devices substantiate PATEL's role in the conspiracy with Shand from December 2021 through Shand's arrest on January 19, 2022.

42. In late 2022, I researched PATEL's A-file and learned that PATEL's application for lawful immigration status was applied for through fraudulent means. Specifically, USCIS confirmed with the landlord at XXXX Kissena Boulevard in Flushing, New York, that the lease PATEL submitted to USCIS was fraudulent. Other fraud indicators appear to be present in the A-file, including that PATEL likely engaged in marriage fraud in an attempt to gain lawful immigration status.

43. I conducted a second proffer of Shand in Orlando, Florida, on February 6, 2023. Shand reiterated to law enforcement officers that PATEL was the sole person to direct Shand to smuggle Indian nationals into the United States through the U.S.-Canadian border. In addition, PATEL coordinated the smuggling events and paid Shand cash each time these smuggling events occurred. During all five events, Shand stated that he had to send PATEL updated location information throughout the smuggling route from his cell phone to PATEL's cell phone. PATEL would also call or text Shand on WhatsApp to communicate with the Indian nationals (under the law they are classified as aliens) being smuggled into the United States.

44. Shand stated that after every smuggling event, PATEL gave Shand cash for his payment. The amount of money that PATEL gave Shand ranged from \$3,500 dollars to \$8,000. Shand believes he has made a total of approximately \$25,000 in smuggling proceeds. Shand stated that PATEL would sometimes deliver cash payments directly to Shand's house and either left the cash payment in his mailbox or gave it to Shand's adult son.

45. Shand was then shown a photograph of PATEL from his A-file and immediately recognized him as “Harry.”

46. I have reviewed Bank of America account statements for Shand for the following credit card account numbers ending in 8925 and 9521. Bank of America returned financial records on two accounts ending in 3869 and 8879, which belongs to Shand’s wife, Stephanie Eugenie Brown. A review of bank records for an account ending in 3869 show a pattern of payment to Shand associated to the smuggling events as depicted in the chart below (the round dollar amount deposits were made shortly before and after Shand’s travels to Minnesota):

ACCOUNT	POSTED DATE	DESCRIPTION	CREDIT
XXXX-XXXX-3869	12/16/2021	BANK OF AMERICA ATM 12/16 000005731 DEPOSIT FOUR TOWNS ORANGE CITY FL	\$210.00
XXXX-XXXX-3869	12/15/2021	BANK OF AMERICA ATM 12/15 000003959 DEPOSIT FOUR TOWNS ORANGE CITY FL	\$200.00
XXXX-XXXX-3869	12/09/2021	BANK OF AMERICA ATM 12/09 000001639 DEPOSIT FOUR TOWNS ORANGE CITY FL	\$1,300.00
XXXX-XXXX-3869	12/09/2021	BANK OF AMERICA ATM 12/09 000001347 DEPOSIT FOUR TOWNS ORANGE CITY FL	\$400.00
XXXX-XXXX-3869	12/09/2021	BANK OF AMERICA ATM 12/09 000001350 DEPOSIT FOUR TOWNS ORANGE CITY FL	\$200.00

47. During the timeframe described in the chart above, a screen capture of a Delta ticket from Shand’s phone dated December 9, 2021 was found with the flight confirmation date of December 11, 2021, from Orlando International Airport (MCO) to Minneapolis-Saint Paul International Airport (MSP). This flight was canceled and rebooked for December 13, 2021. Financial records show a \$143.40 debit posted December 10, 2021, and a \$143.40 credit posted the same day. There are also two images depicting vehicle rentals, one is a vehicle reservation

through Delta for a Mini Van for one day at \$251.99 plus 3 hours at an addition \$25.20/hour and unlimited miles for a total of \$327.59. The second image is a Dollar Rent-A-Car receipt for a vehicle to be picked up in Minneapolis on December 11, 2021, and dropped off on December 12, 2021, in Chicago. The receipt amount is \$439.96. Bank of America records indicate a debit of \$879.93 posted on December 14, 2021 from Dollar Rent-A-Car in Minneapolis.

48. On or about January 10-13, 2022, Shand flew into Minneapolis, rented a full-sized Ford passenger van, and was provided GPS coordinates from “Harry” to an area along the U.S.-Canada border. On the January 10, 2022 smuggling event, Shand was paid thirty-five hundred (\$3,500) dollars in cash from PATEL up front and then an additional eight thousand (\$8,000) dollars in cash from PATEL after Shand delivered people to Chicago.

49. On or about January 18-19, 2022, Shand flew into Minneapolis, rented a full-size Chevrolet passenger van, and was provided GPS coordinates from “Harry” to an area along the U.S.-Canada border. In addition, on the January 18, 2022 smuggling event, Shand was paid twenty-nine hundred (\$2,900) dollars in cash from PATEL up front and then after his release was paid another five thousand (\$5,000) dollars in cash from PATEL.

ACCOUNT	POSTED DATE	DESCRIPTION	CREDIT
XXXX-XXXX-3869	01/18/2022	BANK OFAMERICA ATM 01/17 000008810 DEPOSIT FOUR TOWNS ORANGE CITY FL	\$60.00
XXXX-XXXX-3869	01/18/2022	Online Banking transfer from CHK 7033 Confirmation 3448754327	\$350.00
XXXX-XXXX-3869	01/18/2022	Online Banking transfer from CHK 7033 Confirmation 2349024427	\$100.00
XXXX-XXXX-3869	01/18/2022	Online Banking transfer from CHK 7033 Confirmation 3149310588	\$100.00

XXXX-XXXX-3869	01/18/2022	Zelle Transfer Conf rzgz73ptm, BROWN, STEPHANIE	\$100.00
XXXX-XXXX-3869	01/18/2022	Zelle Transfer Conf y3a7u6mkp, BROWN, STEPHANIE	\$100.00
XXXX-XXXX-3869	01/18/2022	Zelle Transfer Conf unxmpje52, BROWN, STEPHANIE	\$100.00
XXXX-XXXX-3869	01/18/2022	Zelle Transfer Conf Jyhvkr3bd, BROWN, STEPHANIE	\$65.00

As depicted in these charts, several deposits were made from Shand's wife's account ending in 8879 to Shand during all of the admitted smuggling events, to include the dates where the family of four perished in the subzero weather.

ACCOUNT	POSTED DATE	DESCRIPTION	CREDIT
XXXX-XXXX-8879	01/13/2022	Online Banking transfer from CHK 7033 Confirmation 2313024789	\$1,120.00
XXXX-XXXX-8879	01/13/2022	Online Banking transfer from CHK 7033 Confirmation 3507719153	\$10.00
XXXX-XXXX-8879	01/14/2022	Online Banking transfer from CHK 7033 Confirmation 2317588880	\$1,950.00
XXXX-XXXX-8879	01/18/2022	Online Banking transfer from CHK 7033 Confirmation 2538220732	\$2,000.00

50. The following chart depicts several WhatsApp conversations between Shand and PATEL, documenting the transportation of aliens. In this case, they are Indian nationals. The conversations over the course of the smuggling conspiracy (highlighted to depict the different dates of communication) show that PATEL facilitated the smuggling events to include the night that the family of four perished during blizzard conditions on or about January 19, 2022:

From	To	Body	Time
PATEL	SHAND	https://www.kayak.com/flight-routes/Orlando-MCO/Minneapolis-St-Paul-MSP	12/10/2021 9:33:37 PM(UTC+0)
PATEL	SHAND	Send me your details I will booked for you	12/10/2021 10:08:41 PM(UTC+0)
PATEL	SHAND	Get the flight from chicago to tomorrow morning	12/10/2021 11:39:19 PM(UTC+0)
SHAND	PATEL	Ok	12/10/2021 11:39:54 PM(UTC+0)
PATEL	SHAND	7988 160th Ave NE, Drayton, ND 58225	12/12/2021 1:00:50 AM(UTC+0)
SHAND	PATEL	Should I leave?	12/12/2021 3:27:27 AM(UTC+0)
SHAND	PATEL	For the church now?	12/12/2021 3:27:49 AM(UTC+0)
PATEL	SHAND	21609 governors highway Matteson , Illinois 60443	12/29/2021 2:42:49 PM(UTC+0)
SHAND	PATEL	Really you going to drop off 4000 \$more?	1/14/2022 6:28:19 AM(UTC+0)
SHAND	PATEL	Make sure everyone is dressed for the blizzard conditions please	1/19/2022 12:59:57 AM(UTC+0)
PATEL	SHAND	Done	1/19/2022 1:00:28 AM(UTC+0)
SHAND	PATEL	We not losing any money	1/19/2022 1:01:02 AM(UTC+0)

PATEL	SHAND	Dropped pin https://goo.gl/maps/yvRottF4xBRDQ AmS6	1/19/2022 8:50:32 AM(UTC+0)
			
PATEL	SHAND	When ever you at the spot let me know	1/19/2022 9:16:02 AM(UTC+0)
PATEL	SHAND	You stuck ?	1/19/2022 9:17:04 AM(UTC+0)
SHAND	PATEL	Still stuck	1/19/2022 9:17:55 AM(UTC+0)
PATEL	SHAND	Can you please trun off light and trun on your car light that they can see	1/19/2022 9:34:03 AM(UTC+0)

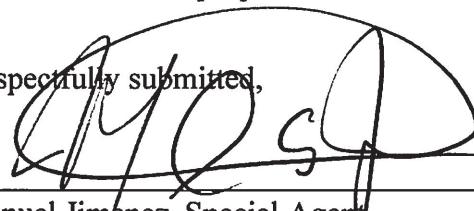
51. From February to March 2023, I located evidence through records checks which revealed a Maryland driver license (DL) for Harshkumar Ramanlal PATEL under the name Haresh Rameshlal PATEL and a date of birth in September 1994. In addition, Haresh PATEL provided an Indian identification card to the Maryland Department of Motor Vehicles (DMV), which displayed an exact facial profile to one in Harshkumar PATEL's A-File. While these records were fraudulently obtained, they appear to be PATEL and the same individual identified by Shand.

52. In addition, Haresh PATEL and Harshkumar PATEL are both from a village known as Indrad Mehsana, Gujarat, India, which according to open-source information, had approximately 2600 males living there in 2022. Therefore, comparing Haresh PATEL's DL photograph and Indian ID with photographs in PATEL's A-File and the small population density of Indrad, it is my professional assessment that Haresh PATEL and Harshkumar PATEL are the same person.

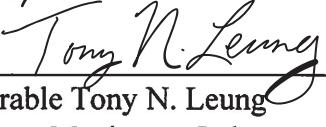
53. Based upon my experience as a Homeland Security Investigations Special Agent, there is probable cause to believe that Harshkumar PATEL is responsible for violations of 8 U.S.C. §§ 1324(a)(1)(A)(i), 1324(a)(1)(A)(ii), 1324(a)(1)(A)(v)(I), and 1324(a)(1)(A)(v)(II), relating to (1) transporting an alien within the United States in reckless disregard of the fact that the alien has come to the United States in violation of law and aiding and abetting Steve Shand in such transportation, and (2) knowingly bringing to and attempting to bring to the United States in any manner whatsoever such alien at a place other than a designated port of entry and place other than as designated by the Commissioner, regardless of whether such alien had received prior official authorization to come to, enter, and reside in the United States and regardless of any future official action which may be taken with respect to such alien, and so conspired with Steve Shand to do so.

I respectfully request the issuance of an arrest warrant on the proposed criminal complaint.

Respectfully submitted,


Manuel Jimenez, Special Agent
Homeland Security Investigations

SUBSCRIBED and SWORN before me
by reliable electronic means (FaceTime and
email) pursuant to Fed. R. Crim. P. 41(d)(3) on
September 7 2023:


The Honorable Tony N. Leung
United States Magistrate Judge